

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT
1300 OAK STREET
KANSAS CITY, MISSOURI 64106**

DIVISION 1

**REX GABBERT, PRESIDING JUDGE
THOMAS H. NEWTON, JUDGE
ALOK AHUJA, JUDGE**

DIVISION 2

**KAREN KING MITCHELL, PRESIDING JUDGE
CYNTHIA MARTIN, JUDGE
GARY DEAN WITT, JUDGE**

DIVISION 3

**VICTOR C. HOWARD, PRESIDING JUDGE
LISA WHITE HARDWICK, JUDGE
JAMES E. WELSH, JUDGE**

**SPECIAL DIVISION (SITTING AT CAMDEN ON THE LAKE)
IN CONJUNCTION WITH THE MID-AMERICA LABOR/MANAGEMENT CONFERENCE**

**MARK D. PFEIFFER, CHIEF JUDGE, PRESIDING
GARY D. WITT, JUDGE
REX GABBERT, JUDGE**

**SPECIAL DIVISION (SITTING AT TAN-TAR-A RESORT, OSAGE BEACH, MO IN
CONJUNCTION WITH THE ANNUAL MEETING OF THE MISSOURI ASSOC. OF CRIMINAL
DEFENSE LAWYERS**

**MARK D. PFEIFFER, CHIEF JUDGE, PRESIDING
GARY D. WITT, JUDGE
ZEL FISCHER, SPECIAL JUDGE**

ORAL ARGUMENT DOCKET - JULY, 2016

NOTICE TO COUNSEL

Enclosed is a copy of the Court's docket scheduling your case for argument. Please review this docket and the following information carefully. Please note the information below for each division:

***DIVISION 1: THIS DIVISION WILL SIT ON JULY 14TH AND 27TH, 2016 WITH DOCKET
CALLS AT 9:00 A.M. AND 10:30 A.M.***

***DIVISION 2: THIS DIVISION WILL SIT ON JULY 13, 2016 WITH DOCKET CALLS AT 9:00
AND 10:30 A.M.***

DIVISION 3: THIS DIVISION WILL SIT ON JULY 6TH AND 20TH, 2016, WITH DOCKET CALLS BOTH DAYS AT 9:00 AND 10:30 A.M.

SPECIAL DIVISION: THIS DIVISION WILL SIT ON JULY 11, 2016 AT CAMDEN ON THE LAKE, LAKE OZARK, MO IN CONJUNCTION WITH THE MID-AMERICA LABOR MANAGEMENT CONFERENCE. DOCKET CALL WILL BE AT 1:30 P.M. IT WILL ALSO SIT ON JULY 22, 2016 AT TAN-TAR-A RESORT, OSAGE BEACH, MO IN CONJUNCTION WITH THE ANNUAL MEETING OF THE MISSOURI ASSOCIATION OF CRIMINAL DEFENSE LAWYERS. DOCKET CALL WILL BE AT 1:15 P.M.

If you are not present for the docket call, your case will be submitted on the briefs. If you do not intend to orally argue a docketed case (whether the appellant or respondent), please notify this office immediately of that decision. Any respondent who has not filed a brief will not be permitted oral argument.

PLEASE NOTE THE FOLLOWING CHANGE IN ARGUMENT TIMES:

In most cases, counsel will be allowed a maximum of 10 minutes per side with an additional three minutes for rebuttal by the appellant. In cases designated as “expanded oral argument” preceded and followed by three asterisks, argument will be expanded to 15 minutes per side with an additional five minutes allowed for rebuttal by the appellant.

The Court may call upon counsel to announce the amount of time they intend to use when the docket is called. Please keep in mind that the judges on the panel will be familiar with the briefs. The Court views oral argument as an opportunity to focus on the points of difficult analysis rather than a forum to verbally rehash the entire brief. Therefore, the Court expects counsel to tailor their requests for time accordingly. Counsel should also remember that they are not required to use the total time reserved.

Cross appeals shall be treated as one case, and in such cases the plaintiff in the trial court shall be entitled to open and close the argument. **If there are multiple appellants or respondents, the parties will ordinarily be expected to divide among themselves the time allowed for an appellant or respondent.**

Original exhibits shall be deposited with the court on or before the date on which the parties file their opening briefs unless the court grants permission to submit them at a later time. Any exhibits not timely deposited may be considered by the court as immaterial to the issues on appeal. Rule 81.16. Unless deposited exhibits are removed from the custody of the clerk within 30 days after the case is finally decided, upon prior notice to the parties, they may be destroyed or disposed of by the clerk. Rule 81.16(d).

Opinions are issued each Tuesday morning. Motions for rehearing and/or transfer to the Supreme Court must be filed within fifteen (15) days after the opinion has been issued.

If you have any questions concerning the docket, please contact this office at 816-889-3600. If you have special needs addressed by the Americans with Disabilities Act, please notify this office at least one week prior to the date of oral argument.

Terence G. Lord, Clerk

DIVISION 3

VICTOR C. HOWARD, PRESIDING JUDGE

LISA WHITE HARDWICK, JUDGE

JAMES E. WELSH, JUDGE

JULY, 2016

**THIS DIVISION WILL SIT ON JULY 6TH AND 20TH, 2016, WITH
DOCKET CALLS BOTH DAYS AT 9:00 AND 10:30 A.M.**

<p>IMPORTANT NOTE</p>

<p><u>PLEASE NOTE THE TIME AND DATE OF YOUR ARGUMENT. THIS INFORMATION IS LOCATED AT THE TOP OF THE PAGE ON WHICH YOUR CASE IS LISTED.</u></p>

**MISSOURI JUDICIARY
WESTERN DISTRICT CT OF APPEALS**

Docket

6-Jul-2016	09:00	DIVISION 3	Western District Ct of Appeals
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1. WD78358 JACKSON COUNTY CIRCUIT COURT

**VERNON L JONES, JR., APPELLANT,
vs
CHRISTY L MORI, RESPONDENT.**

VERNON JONES JR, Appellant	CONTINUED TO 7-20-16
MITZI J. ALSPAUGH	
CHRISTY MORI, Respondent Acting Pro Se	

2. WD78883 JACKSON COUNTY CIRCUIT COURT

**KATRINA WHITMORE, RESPONDENT,
vs
DAVID WHITMORE, APPELLANT.**

DAVID WHITMORE, Appellant
MICHAEL CHESTER MCINTOSH
JEANNE M FOSTER
KATRINA WHITMORE, Respondent
JAMES T COOK

CONTINUED ON NEXT PAGE...

**MISSOURI JUDICIARY
WESTERN DISTRICT CT OF APPEALS**

Docket

6-Jul-2016 09:00 DIVISION 3 Western District Ct of Appeals

3. *WD79622*** JACKSON COUNTY CIRCUIT COURT
WD79637**

**ST. DENIS J VILLERE & COMPANY, LLC, ET AL., RESPONDENT-APPELLANTS,
vs**

EPIQ SYSTEMS, INC., ET AL., APPELLANT-RESPONDENTS.

JAMES A BYRNES, Appellant-Respondent

MARK ALAN OLTHOFF

WILLIAM PERRY BRANDT

EDWARD M CONNOLLY JR, Appellant-Respondent

MARK ALAN OLTHOFF

RUSSELL SCARRITT JONES JR

ROBERT VANNEMAN SPAKE

WILLIAM PERRY BRANDT

FRED LOUIS SGROI

CHARLES C CONNELLY IV, Appellant-Respondent

MARK ALAN OLTHOFF

RUSSELL SCARRITT JONES JR

ROBERT VANNEMAN SPAKE

WILLIAM PERRY BRANDT

FRED LOUIS SGROI

CASE DISMISSED 06-08-16

***EXPANDED ORAL
ARGUMENT***

JAMES A BYRNES, Appellant-Respondent

MARK ALAN OLTHOFF

ROBERT VANNEMAN SPAKE

W BRYAN SATTERLEE, Appellant-Respondent

MARK ALAN OLTHOFF

ROBERT VANNEMAN SPAKE

JAMES A BYRNES, Appellant-Respondent

MARK ALAN OLTHOFF

FRED LOUIS SGROI

JOEL PELOFSKY, Appellant-Respondent

MARK ALAN OLTHOFF

RUSSELL SCARRITT JONES JR

ROBERT VANNEMAN SPAKE

WILLIAM PERRY BRANDT

FRED LOUIS SGROI

DOUGLAS M GASTON, Appellant-Respondent

MARK ALAN OLTHOFF

RUSSELL SCARRITT JONES JR

ROBERT VANNEMAN SPAKE

WILLIAM PERRY BRANDT

JAMES A BYRNES, Appellant-Respondent

MARK ALAN OLTHOFF

RUSSELL SCARRITT JONES JR

Denotes 15 min. for Apps-Resps; 15 min for Resps-Apps; 5 min. for Apps-Resps' rebuttal.

Docket

Western District Ct of Appeals

QUINTON DONALD LUCAS JONATHAN C MCCALL, Respondent-Appellant

**MISSOURI JUDICIARY
WESTERN DISTRICT CT OF APPEALS**

Docket

6-Jul-2016 09:00 DIVISION 3 Western District Ct of Appeals

CHARLES WALTER GERMAN
QUINTON DONALD LUCAS
GEORGE YOUNG, Respondent-Appellant
CHARLES WALTER GERMAN
DANIEL B HODES
QUINTON DONALD LUCAS
BILOXI MARSH LANDS CORP., Respondent-Appellant
CHARLES WALTER GERMAN
DANIEL B HODES
QUINTON DONALD LUCAS
KATHLEEN G FAVROT, Respondent-Appellant
CHARLES WALTER GERMAN
DANIEL B HODES
QUINTON DONALD LUCAS
JUDITH W FREEMAN, Respondent-Appellant
CHARLES WALTER GERMAN
DANIEL B HODES
JAMES J LEONARD, Respondent-Appellant
CHARLES WALTER GERMAN
QUINTON DONALD LUCAS
LAURA L FREEMAN, Respondent-Appellant
CHARLES WALTER GERMAN
DANIEL B HODES
ST. DENIS VILLERE & COMPANY, LLC, Respondent-Appellant
CHARLES WALTER GERMAN
DANIEL B HODES
MARLA R GARVEY, Respondent-Appellant
CHARLES WALTER GERMAN
DANIEL B HODES
QUINTON DONALD LUCAS
EUGENIE & JOSEPH JONES FAMILY, Respondent-Appellant
CHARLES WALTER GERMAN
DANIEL B HODES
QUINTON DONALD LUCAS
WILLIAM J KEARNEY III, Respondent-Appellant
CHARLES WALTER GERMAN
DANIEL B HODES
QUINTON DONALD LUCAS
BURT H KEENAN, Respondent-Appellant
CHARLES WALTER GERMAN
DANIEL B HODES
QUINTON DONALD LUCAS
LAKE EUGENIE LAND & DEVELOPMENT INC, Respondent-Appellant

CASE DISMISSED 06-08-16

***EXPANDED ORAL
ARGUMENT***

Denotes 15 min. for Apps-Resps; 15 min for Resps-Apps; 5 min. for Apps-Resps' rebittal.

**MISSOURI JUDICIARY
WESTERN DISTRICT CT OF APPEALS**

Docket

6-Jul-2016 10:30 DIVISION 3 Western District Ct of Appeals

1. WD78898 JACKSON COUNTY CIRCUIT COURT

**SIGNATURE MORTGAGE GROUP, LLC, RESPONDENT
vs
UNITED FIDELITY FUNDING CORP, APPELLANT.**

UNITED FIDELITY FUNDING CORP, Appellant	CASE DISMISSED
FRANK ANTHONY BRANCATO	
SIGNATURE MORTGAGE GROUP, LLC, Respondent	
DAVID BEN MANDELBAUM	
RESPONDENT DID NOT FILE A BRIEF AND THUS WAIVES ARGUMENT.	

2. WD78314 JACKSON COUNTY CIRCUIT COURT

**TOMMY R ROLLINS, JR #1038267 (29.15), APPELLANT,
vs
STATE OF MISSOURI, RESPONDENT.**

TOMMY ROLLINS JR, Appellant	SUBMITTED ON THE BRIEFS
KENT DENZEL	
STATE OF MISSOURI, Respondent	
KAREN LOUISE KRAMER	

**MISSOURI JUDICIARY
WESTERN DISTRICT CT OF APPEALS**

Docket

20-Jul-2016 09:00 DIVISION 3 Western District Ct of Appeals

1. WD79351 CLINTON COUNTY CIRCUIT COURT

**B. G. E., RESPONDENT,
vs
M. A. E., APPELLANT.**

. M.A.E., Appellant
 BRUCE BRANDOM BROWN
. B.G.E., Respondent
 JONATHAN STERNBERG

**2. WD78555 JACKSON COUNTY CIRCUIT COURT
WD78608**

**DEBORAH MORIARITY, APPELLANT,
vs
KANSAS CITY, MISSOURI SCHOOL DISTRICT, RESPONDENT.**

DEBORAH MORIARITY, Appellant
 DAVID ROY BUCHANAN
 DEREK HAROLD MACKAY
KANSAS CITY, MISSOURI SCHOOL DISTRICT, Respondent
 LYNN W. HURSH
 DIONE CHRISTOPHER GREENE
 TYSON HOLLIS KETCHUM

3. WD78358 JACKSON COUNTY CIRCUIT COURT

**VERNON L JONES, JR., APPELLANT,
vs
CHRISTY L MORI, RESPONDENT.**

VERNON JONES JR, Appellant
 MITZI J. ALSPAUGH
CHRISTY MORI, Respondent Acting Pro Se

**MISSOURI JUDICIARY
WESTERN DISTRICT CT OF APPEALS**

Docket

20-Jul-2016 10:30

DIVISION 3

Western District Ct of Appeals

1. WD78834

HENRY COUNTY CIRCUIT COURT

**FARMER'S ALLIANCE MUTUAL INSURANCE COMPANY, APPELLANT,
vs
DANIELS PLUMBING, ET AL., RESPONDENTS.**

FARMERS ALLIANCE MUTUAL INSURANCE COMPANY, Appellant

MARK B. SCHAFER

DARYA VLADIMIROVNA LYESCHENKO

DANIELS PLUMBING AND DD&G INC. D/B/A DANIELS PLUMBING, Respondent

JOHN JOSEPH FOGARTY III

THERESA SHEAN HALL

2. WD78953

CLAY COUNTY CIRCUIT COURT

**DEREK B HART, APPELLANT,
vs
STEPHANIE L HART, RESPONDENT.**

DEREK B HART, Appellant

R GREGORY HARRISON

STEPHANIE L HART, Respondent

GERALD LEE CROSS JR

NANCY AGNES GARRIS